

REMARKS

Claims 1-16 are pending in this application. Applicants respectfully request reconsideration of claims 1-16.

Claims 1-3, 6-9 and 11-16 have been rejected under 35 U.S.C. § 103 as being unpatentable over Abusleme et al. (EP 1,038,914 A1, corresponding to U.S. Patent No. 6,476,150) in view of Stoeppelmann (U.S. Patent No. 5,869,157). The rejection is respectfully traversed.

The present invention of claim 1 is directed to “[m]ultilayer manufactured articles comprising at least: A) a layer consisting essentially of thermoprocessable copolymers of ethylene with chlorotrifluoroethylene, and/or tetrafluoroethylene, and with acrylic monomers of formula $\text{CH}_2=\text{CH}-\text{CO}-\text{O}-\text{R}_2$ (a) ...; and B) a layer based on polyamides...” Applicants respectfully submit that the considerations previously made for the transitional phrase “consisting essentially of” in the layer of A) can be applied also to the sentence “... B) a layer consisting essentially of polyamides...” Additional components which may be included in the present layer B), for example, the diamines or crosslinking agents disclosed in the cited references, are components which do not affect the basic and novel characteristics of the present multilayers. Applicants emphasize that the high adhesion between the fluoropolymer of A) and the polyamides of B) may be obtained without any additional components or post-treatment, thereby allowing for the basic and novel characteristics of the presently claimed invention. See MPEP § 2111.03.

In contrast, Abusleme et al. and Stoeppelmann disclose that diamines or crosslinking agents are essential to achieve the adhesion between a fluoropolymer and a hydrogenated resin, such as polyamides.

In particular, Stoeppelmann discloses a fluoropolymer layer adhered to a particular polyamide admixed with a diamine (Stoeppelmann, claim 1). When the polyamide is not admixed with a diamine there is no adhesion to fluoropolymers. See Examples 1 and 2 of the table at columns 1-2.

Meanwhile, in Abusleme et al., the fluoropolymer E/CTFE containing acrylic monomer (a) is admixed with a crosslinking agent, coupled to an hydrogenated layer and submitted to crosslinking in order to obtain manufactured multilayer having adhesion between the layers without using the tie-layer (see, e.g., Abusleme et al., page 2, lines 32-35).

As demonstrated by Example 7 of the specification, the fluoropolymer consisting of E/CTFE containing acrylic monomer (a) of Abusleme et al. does not adhere to a generic polyamide PA 12 without using cross-linking or diamine.

In view of the above remarks, Applicants respectfully submit that the language of claim 1 clearly identifies the essential components of A) and B) that affect the basic and novel characteristics of the claimed invention, i.e., a particular fluoropolymer adhering to a particular polyamide without requiring any adhesion promoters, such as diamine or cross-linking agents or post-treatments, such as annealing. Thus, Applicants respectfully submit that the language of claim 1 clearly identifies the basic and novel characteristics of the present multilayers. Further, Applicants submit that the working

examples in the specification demonstrate that additional components, such as diamine and cross-linking agent, are not essential.

As Abusleme et al. and Stoeppelmann do not teach or suggest the presently claimed invention, Applicants respectfully submit that claim 1 would not have been obvious to those of skill in the art. Applicants submit that dependent claims 2-3 and 7-15 are patentable for at least the same reasons.

With regards to independent claim 6 in particular, Applicants respectfully submit that claim 6 is patentable for at least the same reasons as claim 1 (please see the discussion above and the remarks in the August 11, 2004 Amendment and the January 25, 2005 Amendment). Further, Applicants submit that dependent claim 16 is patentable for at least the same reasons at claim 6.

Thus, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1-3, 6-9 and 11-16 under 35 U.S.C. § 103(a) as unpatentable over Abusleme et al. in view of Stoeppelmann.

Claim 10 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Abusleme et al. in view of Stoeppelmann as applied to claim 1, and further in view of Krause et al. (U.S. Patent No. 5,958,532). The rejection is traversed.

Applicants submit that dependent claim 10 is patentable for at least the same reasons as claim 1 (please see the discussion above and the remarks in the August 11, 2004 Amendment and the January 25, 2005 Amendment). Applicants again respectfully submit that Krause et al. does not overcome the deficiencies of Abusleme et al. or Stoeppelmann.


As Abusleme et al., Stoeppelmann and Krause et al. do not teach or suggest all of the elements of claim 10 or the unexpected advantages thereof, Applicants respectfully submit that those of skill in the art would not have found claim 10 obvious over the disclosure of these references. Thus, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 10 under 35 U.S.C. § 103(a) as obvious over Abusleme et al. in view of Stoeppelmann as applied to claim 1, and further in view of Krause et al.

Conclusion

Applicants respectfully submit that in view of the remarks above, and the amendments and remarks in the January 25, 2005 Amendment After Final Rejection, all outstanding rejections are overcome and this application is in condition for allowance and such action is earnestly solicited. If the Examiner believes that anything further is desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below to schedule a personal or telephone interview to discuss any remaining issues.

In the event this paper is not considered to be timely filed, Applicants hereby petition for an appropriate extension of time. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300, referencing Attorney Docket No. 108910-00057.

Respectfully submitted,


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Petition for Extension of Time